

PCT #



**IN THE
UNITED STATES
PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Koschinsky, et al.

CASE: IOM-P054

PETITION

SER. NO.: 10/587,429

FILING DATE: July 26, 2006

UNDER

INTERNATIONAL APPLICATION NUMBER PCT/US05/06437

37 CFR § 1.182

AND FILING DATE: February 28, 2005

FOR: IONTOPHORETIC ELECTRODE

COMMISSIONER
FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

ATTENTION OF:

EXAMINER:

Dear Sir or Madam:

This petition is submitted concurrently with the Declaration of the second named inventor—James D. Isaacson—and in response to the Communication mailed June 29, 2007. Applicant believes that all requisite fees are enclosed, however if any other charges or fees must be paid in connection with the following communication, they may be paid out of our Deposit Account—No. 50-0545.

08/06/2007 LLANDGRA 00000019 10587429

01 FC:1462

400.00 OP

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Joseph M. Kinsella Jr.	47643
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This petition is pursuant to 37 CFR § 1.182 as not being specifically provided for in the regulations. More specifically, Applicant petitions the decision not to accept the declaration of the inventors filed in the above-identified patent application due to the second inventor's first name on the declaration not corresponding with the name on the published application of the International Application from which priority is claimed.

Attached is a declaration by James D. Isaacson—also known as Jim Isaacson—and a check in the amount of \$400.00 which corresponds to the fee set forth in section 37 CFR § 1.17(f).


In light of the foregoing, Applicant respectfully requests the granting of the petition and acceptance of the earlier filed declaration of the inventors.

Should anything further be required, a telephone call to the undersigned at (312) 226-1818 is respectfully solicited.

Respectfully submitted,

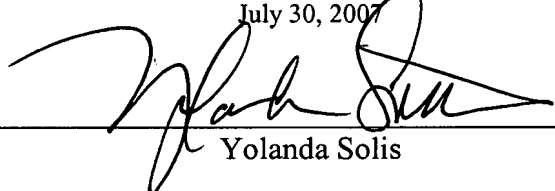
Dated: _____

7/30/07


Joseph M. Kinsella Jr. Reg. No. 45,743
Attorney for Applicant

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on
July 30, 2007


Yolanda Solis



UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.

10/587,429

FIRST NAMED APPLICANT

Ralph Koschinsky

ATTY. DOCKET NO.

IOM-P054

INTERNATIONAL APPLICATION NO.

PCT/US05/06437

I.A. FILING DATE

02/28/2005

PRIORITY DATE

02/27/2004

22876

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CONFIRMATION NO. 8163

371 FORMALITIES LETTER



OC000000024598714

Date Mailed: 06/29/2007

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 07/26/2006
- Copy of the International Search Report filed on 07/26/2006
- Copy of IPE Report filed on 07/26/2006
- Information Disclosure Statements filed on 07/26/2006
- Oath or Declaration filed on 04/23/2007
- Small Entity Statement filed on 07/26/2006
- U.S. Basic National Fees filed on 07/26/2006
- Priority Documents filed on 07/26/2006
- Specification filed on 07/26/2006
- Claims filed on 07/26/2006
- Abstracts filed on 07/26/2006
- Drawings filed on 07/26/2006

Applicant's response filed 04/23/2007 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 03/23/2007 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
 - The second inventor's first name on the declaration doesn't correspond with the name on the published application.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/587,429	PCT/US05/06437	IOM-P054